

interview, the Applicant's Attorney first described, to the Examiners, an overview of a specific embodiment of the invention to aid the Examiners' understanding. The Examiners responded with their belief that many of the specific aspects that the Applicant's Attorney described were not present in the claims. The Examiners expressed a general belief that the claims were too broad. Applicant's Attorney then made the following arguments:

(1) Claim 1 requires that the creation of the "data structure" be performed "in response to" the invocation of "routines" that are "implemented by a program" that is external to both the loader application and the database server. The Office Action's position is that Skinner's "client" is the "program" of Claim 1 and Skinner's "application server" is the "loader application" of Claim 1. Additionally, the Office Action's position is that the creation of the "data structure," as recited in Claim 1, is the same as the creation of database tables in the database (as disclosed in Skinner, step 404). However, Skinner does not disclose that the database tables are created "in response to" the invocation of routines that are "implemented by" Skinner's "client" (the alleged "program"). Conventionally, the routines that create database tables in a database are implemented by the database server rather than any client that communicates with the database server. Nothing in Skinner indicates that Skinner's approach departs from this convention.

(2) Claim 1 requires that the "data stream" be "generated based on said data structure." The Office Action's position is that "creating a data structure," as recited in Claim 1, is the same as the creation of the database tables in the database (as disclosed in Skinner, step 404). However, this position does not make sense, because if the "data structure" of Claim 1 was a database table that was created in the database and then populated with values, then there would be no need to also "generate, based on" the database table, a data stream that conformed to a format of data blocks of the database. Skinner doesn't disclose that any "data stream," which "conforms to a format of the data blocks of the database," is "generated based on" a database table that has already been created in the database.

More specifically, the Applicant's Attorney noted that the Office Action analogizes the limitation "creating a data structure that has one or more elements that correspond to said one or more attributes of said type" to what Skinner discloses in col. 16, lines 60-62, and Fig. 4, step 404. This portion of Skinner refers to the creation of **database tables** in a **database**.

Applicant's Attorney noted (and Examiner Radtke seemed to agree) that, typically, database tables are created in a database by routines that are **implemented in a database server**.

However, Applicant's Attorney noted that Claim 1 requires (a) that this "creating" step be performed by "said program" ("said program performing steps comprising: creating"), (b) that "said program" must be "a program that is **external** to both said loader application **and a database server** that manages said database," and (c) that the "routines," in response to whose invocation the "program" performs the "creating," must be "**implemented by**" that same "program." Applicant's Attorney noted that, even if Skinner's approach creates database tables in a database, Skinner does **not** disclose, teach, or suggest that these database tables are created **by a program that is external to a database server** or in response to the invocation of routines that are **implemented by** such an external program. Therefore, Skinner does not disclose the "creating" step of Claim 1 being performed by "a program that is **external** to both said loader application **and a database server** that manages said database" as required by Claim 1.

The Examiners then noted that Skinner's step 402 involves creating data class definitions **for** an application tier and a client tier, apparently reasoning that the application tier and the client tier are external to a database server. Applicant's Attorney responded that, even if the data class definitions are created **for** these tiers, Skinner does not disclose, teach, or suggest that these data class definitions are created **by** these tiers. Additionally, it appears to be the Office Action's position that the **database tables** of Skinner's step 404, rather than the data class definitions discussed in Skinner's step 402, are analogous to the "data structure" recited in Claim 1.

The Examiners concluded by stating that they would consider the Applicant's Attorney's arguments if the Applicant's Attorney submitted those arguments, in writing, in a reply to the

Final Office Action. The Applicant's Attorney has done so in this reply. Applicant's Attorney respectfully requests that the rejections set forth in the Office Action be withdrawn for at least the reasons set forth during the interview.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

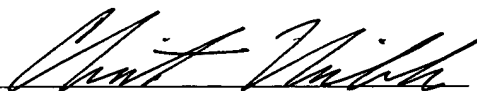
The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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